

UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

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UNITED STATES OF AMERICA,

Plaintiff(s),

v.

GUISEPPE RUSSO,

Defendant(s).

Case No. 2:17-CR-243 JCM (NJK)

ORDER

Presently before the court is the matter of *United States of America v. Russo*, case no. 2:17-cr-00243-JCM-NJK. Guiseppe Russo (“petitioner”) filed a motion to vacate, set aside, or correct sentence under 28 U.S.C. § 2255. (ECF No. 52). The court has examined the petition, which requests the court vacate his conviction and dismiss his indictment pursuant to the Supreme Court’s decision in *Rehaif v. United States*, 139 S. Ct. 2191 (2019). *Id.*

The court finds that further briefing is appropriate. The United States of America (“respondent”) shall file a response within twenty-one days from the date of this order. Thereafter, petitioner will have fourteen days to file a reply.

Accordingly,

IT IS HEREBY ORDERED that respondent shall file a response to petitioner’s motion to vacate, set aside, or correct sentence (ECF No. 52) no later than twenty-one (21) days from the date of this order. If respondent files a response, petitioner’s reply is due fourteen (14) days thereafter.

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1 The clerk is instructed to file this order in the instant matter and in the related civil case,  
2 no. 2:20-cv-00697-JCM.

3 DATED May 26, 2020.

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5 UNITED STATES DISTRICT JUDGE  
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